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Via Overnight Delivery

Hon. F. Dennis Saylor, IV
United States District Court
John Joseph Moakley U.S. Courthouse
1 Courthouse Way, Suite 2300
Boston, Massachusetts 02210

Re: In re: New England Compounding Pharmacy, Inc.
MDL 2419; C.A. No.: 13-MD-2419-FDS

Dear Judge Saylor:

I represent approximately 40 individuals suffering from various degrees of personal injuries ranging from symptoms of fungal meningitis to strokes and acute kidney failure, which have resulted from injections of contaminated methylprednisolone acetate (MPA) that was manufactured by New England Compounding Pharmacy, Inc. I also represent the families of three individuals who have died as a result of the contaminated medication. I am a signatory to a letter that is being sent to you from a large number of plaintiffs' attorneys expressing our collective thoughts about the appointment of a Plaintiffs' Steering Committee, but I am also writing separately to express my interest in becoming a member of the Plaintiffs' Steering Committee, or other body that the Court may appoint, in order to facilitate the prosecution of these personal injury and wrongful death claims in the MDL.

When New England Compounding Pharmacy was conducting business, one of the clinics to which it distributed vials of the contaminated medication was located in Roanoke, Virginia, where my office is located. This resulted in a relatively high concentration of affected patients in the greater southwest Virginia area. In addition to the 41 clients that I represent in claims against New England Compounding Pharmacy, I am aware of approximately 25 others who are being represented by other law firms in or near Roanoke. I believe that Virginia contains one of the largest concentrations of cases that either already are in the MDL or will eventually become part of the MDL.

When appointing a body of attorneys to organize the plaintiffs' effort in this MDL, the Court surely will be concerned that the attorneys who are chosen must adequately represent the interests of the many claimants. One consideration in this regard is that the appointed attorneys

are, as much as reasonably possible, familiar with differences in the substantive laws of the various states involved. Virginia statutory and common law concerning the doctrines of negligence, wrongful death, warranty and product liability, and defenses thereto, are different from those in many other states. This character of substantive Virginia law, along with the high concentration of claimants in Virginia, underscores the wisdom of appointing an attorney from Virginia to serve on the Plaintiffs' Steering Committee (if the Court chooses to appoint one) or other representative body the Court may choose to appoint.

I have practiced law in Virginia for over 16 years, during which I have tried hundreds of cases in Virginia's state courts and in the U.S. District and Bankruptcy Courts of Virginia. I represent injured persons in claims involving negligence, wrongful death, products liability, medical malpractice, mass tort and other complex theories of liability. I have received multi-million dollar verdicts for my clients. My firm, Crandall & Katt, is well-established in Virginia, and recognized as one of the leading plaintiffs' law firms in the state. My firm and I are prepared to dedicate the necessary resources in the event I am appointed to the Plaintiffs' Steering Committee or other similar body in this MDL. It would be a privilege to serve in any capacity that will benefit all of the plaintiffs in this case.

Thank you for your consideration of my request. Please let me know if there is any other information that I can provide.

Very truly yours,

CRANDALL & KATT
Attorneys & Counselors at Law



Patrick T. Fennell, Esq.

PTF/pm